

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Claude Mathieu *et al.* Confirmation No.: 6834
Application No.: 10/784,046 Art Unit: 3738
Filed: 02/20/2004 Examiner: Pellegrino, Brian E.
Attorney Docket No: 8932-823-999
(001227-0122)
For: INTERSPINAL PROSTHESIS

RESPONSE TO THE FINAL OFFICE ACTION DATED NOVEMBER 19, 2007

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Final Office Action dated November 19, 2007, Applicants respectfully submit the following revisions and remarks:

Amendments to the Claims begin on page 2 of this response

Remarks begin on page 7 of this response

Indication of Allowability – The Examiner is thanked for indicating that claims 60, 61, 64 and 69-80 were allowable. It is respectfully submitted that dependent claims 62, 63 and 65-68 were previously withdrawn as being directed to a non-elected species based on the understanding that the claims would only be restricted to the elected species if no generic claim is held allowable. Independent claim 60 is believed to be generic. As such, it is respectfully submitted that claims 62, 63 and 65-68 should be allowed as well. All remaining claims have been canceled without prejudice, as such the present application is believed to be in proper condition for allowance. Withdrawal of all remaining rejections and allowance of the pending claims is respectfully requested.

OK
to ENTER BP 11/19/08